

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
For The District of Montana

Tyler P. Gilman
Clerk of Court



Beth Conley
Chief Deputy Clerk

April 23, 2018

Clerk, U.S. District Court
South District of New York
500 Pearl Street
New York, New York 10007

Re: Case Number: CR 89-742
District of Montana Case Number, MJ-18-18 -M-JCL, USA vs Jacob Moritz

Dear Sir/Madam:

The above entitled case has been transferred back to your district. Jacob Moritz appeared in our district on April 23, 2018, waived identity and was ordered released. Jacob Moritz was ordered to report to the District of South District of New York on May 7, 2018 at 9:00 a.m.

You may access electronically filed documents in this case via ECF/PACER web address:
<http://ecf.mtd.uscourts.gov>.

Sincerely,

/s/ Kelsey Lapsys
Deputy Clerk,
Missoula Division

CJA 23
(Rev. 11/11)

FINANCIAL AFFIDAVIT

IN SUPPORT OF REQUEST FOR ATTORNEY, EXPERT, OR OTHER SERVICES WITHOUT PAYMENT OF FEE

IN THE UNITED STATES ☒ DISTRICT COURT ☐ COURT OF APPEALS ☐ OTHER (Specify below)
IN THE CASE OF

United States v. Jacob Moritz

FOR	Montana
AT	Missoula

PERSON REPRESENTED (Show your full name)
Jacob Moritz

CHARGE/OFFENSE (describe if applicable & check box→)
 Title 21 U.S.C. § 812
 Title 21 U.S.C. § 841(a)(1)
 Title 21 U.S.C. § 952

☒ Felony
☐ Misdemeanor

- 1 ☒ Defendant - Adult
- 2 ☐ Defendant - Juvenile
- 3 ☐ Appellant
- 4 ☐ Probation Violator
- 5 ☐ Supervised Release Violator
- 6 ☐ Habeas Petitioner
- 7 ☐ 2255 Petitioner
- 8 ☐ Material Witness
- 9 ☐ Other (Specify)


FILED
LOCATION: RU
APR 17 2018

U.S. Courts	Division NUMBERS
Magistrate Judge	
District Court	
Court of Appeals	

ANSWERS TO QUESTIONS REGARDING ABILITY TO PAY

INCOME & ASSETS	EMPLOY- MENT	Are you now employed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Self-Employed																
		Name and address of employer: _____																
		IF YES, how much do you earn per month? \$ _____	IF NO, give month and year of last employment? _____ How much did you earn per month? \$ _____															
	OTHER INCOME	If married, is your spouse employed? <input type="checkbox"/> Yes <input type="checkbox"/> No																
		If you are a minor under age 21, what is the approximate monthly income of your parent(s) or guardian(s)? \$ _____																
Have you received within the past 12 months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, retirement or annuity payments, or other sources? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																		
		RECEIVED	SOURCES															
	IF YES, give the amount received and identify the sources	\$ _____ \$ _____ \$ _____	_____															
	CASH	Do you have any cash on hand or money in savings or checking accounts? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IF YES, total amount? \$ <u>1800</u>																
	PROP- ERTY	Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																
		VALUE	DESCRIPTION															
		IF YES, give value and description for each	\$ _____ \$ _____ \$ _____ \$ _____	_____														
OBLIGATIONS & DEBTS	DEPENDENTS	MARITAL STATUS <input checked="" type="checkbox"/> Single <input type="checkbox"/> Married <input type="checkbox"/> Widowed <input type="checkbox"/> Separated or Divorced																
		List persons you actually support and your relationship to them Total No. of Dependents _____																
	DEBTS & MONTHLY BILLS <small>(Rent, utilities, loans, charge accounts, etc.)</small>	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%; text-align: center;">DESCRIPTION</th> <th style="width: 20%; text-align: center;">TOTAL DEBT</th> <th style="width: 20%; text-align: center;">MONTHLY PAYMENT</th> </tr> </thead> <tbody> <tr> <td><u>Lived with friends</u></td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </tbody> </table>			DESCRIPTION	TOTAL DEBT	MONTHLY PAYMENT	<u>Lived with friends</u>	\$ _____	\$ _____	_____	\$ _____	\$ _____	_____	\$ _____	\$ _____	_____	\$ _____
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<u>Lived with friends</u>	\$ _____	\$ _____																
_____	\$ _____	\$ _____																
_____	\$ _____	\$ _____																
_____	\$ _____	\$ _____																

I certify under penalty of perjury that the foregoing is true and correct.


SIGNATURE OF DEFENDANT
(OR PERSON REPRESENTED)

4/17/2018
Date

FILED

APR 17 2018

Clerk, U.S. Courts
District Of Montana
Missoula Division

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JACOB MORITZ,

Defendant.

MJ-18-18-M-JCL

**ORDER APPOINTING COUNSEL:
FEDERAL DEFENDERS
OF MONTANA**
John Rhodes

Upon consideration of the completed CJA 23 Form submitted by the above-named Defendant, and having determined that the Defendant is financially unable to obtain counsel;

IT IS HEREBY ORDERED that JOHN RHODES of the FEDERAL DEFENDERS OF MONTANA, INC., be appointed to represent the Defendant at the initial appearance only.

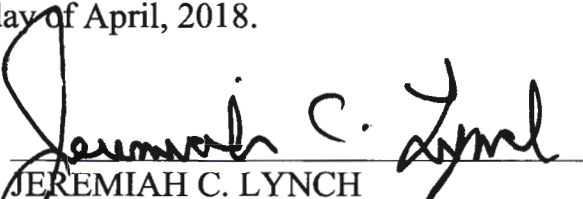
IT IS FURTHER ORDERED that the Defendant shall pay the sum of

_____ DOLLARS (\$_____) per month to the Clerk of Court

for defense costs in this matter, pursuant to 18 U.S.C. § 3006A(f). The first payment of \$ N/A shall be made on or before _____, and each subsequent payment shall be made on or before the _____ day of each month, during the pendency of this case. If, during the pendency of this matter, the Defendant's financial condition changes, the Defendant may petition the Court for a reduction in the defense costs in this matter.

Also pursuant to 18 U.S.C. § 3006, if investigation reveals that the Defendant owns or has control over assets not disclosed herein, the Defendant will be required to reimburse the United States for all or part of the defense costs expended in his behalf.

DONE and DATED this 17th day of April, 2018.


JEREMIAH C. LYNCH
United States Magistrate Judge

JOHN RHODES
Assistant Federal Defender
Federal Defenders of Montana
Missoula Branch Office
125 Bank Street, Suite 710
Missoula, MT 59802
Phone: (406) 721-6749
Fax: (406) 721-7751
Email: john_rhodes@fd.org

Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JACOB MORITZ,

Defendants.

CR 18-18-M-JCL

**MOTION FOR DETENTION
HEARING**

JACOB MORITZ (“Mr. Moritz”), by and through Defendant’s counsel of record, the FEDERAL DEFENDERS OF MONTANA and JOHN RHODES, Assistant Federal Defender, hereby moves this Court to schedule a detention hearing in the above-captioned case.

Mr. Moritz made his initial appearance on April 17, 2018. Mr. Moritz was detained.

Mr. Moritz's son, Dillon Broznya, is scheduled to fly into Missoula early this evening. He is willing to serve as Mr. Moritz's custodian. Mr. Broznya is prepared to drive his father to Florida, where Mr. Moritz can live with Mr. Broznya. Mr. Broznya will assure that Mr. Moritz complies with any conditions of release, including assuring his appearance at his arraignment in the Southern District of New York.

Mr. Moritz is currently detained at the Missoula County Detention Facility.

Evin Hansen, with the United States Probation Office in Missoula, has been notified of Mr. Moritz's motion.

Counsel for the government has been notified of the filing of this motion, but was unavailable for comment. As the Court knows, the government did object to Mr. Moritz's release at the hearing today.

DATED this 17th day of April, 2018.

JACOB MORITZ

By: /s/ John Rhodes
JOHN RHODES
Assistant Federal Defender
Federal Defenders of Montana
Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2018, a copy of the foregoing document was served on the following persons by the following means:

1, 2 CM-ECF

_____ Hand Delivery

4 Mail

_____ Overnight Delivery Service

_____ Fax

3 E-Mail

1. CLERK, UNITED STATES DISTRICT COURT

2. TARA ELLIOTT
Assistant United States Attorney
Counsel for the United States of America

3. EVIN HANSEN
United States Probation Office

3. DEREK HART
United States Probation Office

4. JACOB MORITZ
Defendant

By: /s/ John Rhodes
JOHN RHODES
Assistant Federal Defender
Federal Defenders of Montana
Counsel for Defendant

FILED

**United States District Court
DISTRICT OF MONTANA**

APR 23 2018

Clerk, U.S. Courts
District of Montana
Missoula Division

**UNITED STATES OF AMERICA
v.**

**ORDER SETTING
CONDITIONS OF RELEASE**

Jacob Moritz

Case No.: 9:18-00018M-001

IT IS SO ORDERED that the release of the defendant is subject to the following conditions:

- (1) Defendant must not commit any offense in violation of federal, state, local or tribal law while on release in this case.
- (2) Defendant must advise the court or the pretrial services officer in writing before making any change of residence or telephone number.
- (3) Defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must next appear at

PLACE

on

DATE AND TIME

- (4) Defendant must sign an Appearance Bond, if ordered.

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community, it is FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- (1) [a] Defendant must submit to **supervision** by, and report to, the Pretrial Services Officer, no later than immediately following today's court proceedings and thereafter at such times and in such manner as designated by the Officer.
- (2) [d] Defendant must surrender to the Pretrial Services Officer any **passport** or other international travel document.
- (3) [e] Defendant must not obtain a **passport** or other international travel document.
- (4) [g] Defendant must not harass, threaten, intimidate, tamper with, improperly influence, or injure the person or property of **witnesses, jurors, informants, victims** of crime, judicial officers, or other persons related to official proceedings before the Court, in violation of 18 U.S.C. § 1503, 1512, and 1513.
- (5) [k] Defendant must not possess a **firearm**, destructive device, or other weapon.
- (6) Defendant shall maintain contact with their **attorney**.
- (7) [p][ii] Defendant is restricted to **home detention** and must remain in this residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or _____.
- (8) [q] Defendant must submit to **location monitoring** as directed by the Pretrial Services Officer and comply with all of the program requirements and instructions provided. Defendant must pay all or part of the cost of the program based on ability to pay as determined by the Pretrial Services Officer.

THIRD PARTY CUSTODY

(9) Defendant is placed in the third party custody of [insert name], who agree(s) (1) to supervise the Defendant in accordance with all conditions of release, (2) to use every effort to assure the appearance of the Defendant at all scheduled court proceedings, and (3) to notify the Pretrial Services Officer immediately if Defendant violates any conditions of release or disappears.

- Signature of Third Party Custodian _____
 - Address of Third Party Custodian _____
 - Telephone No. of Third Party Custodian _____
-

Advice of Penalties and Sanctions

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

A violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of release, an order of detention, and a prosecution for contempt of court and could result in a term of imprisonment, a fine, or both.

The commission of a Federal offense while on pretrial release will result in an additional sentence of a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence will be in addition to any other sentence.

Federal law makes it a crime punishable by up to ten years of imprisonment, and a \$250,000 fine or both to obstruct a criminal investigation. It is a crime punishable by up to ten years of imprisonment and a \$250,000 fine or both to tamper with a witness, victim or informant; to retaliate or attempt to retaliate against a witness, victim or informant; or to intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If after release, you knowingly fail to appear as required by the conditions of release, or to surrender for the service of sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, you will be fined not more than \$250,000 or imprisoned not more than two years, or both.
- (4) a misdemeanor, you shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender must be in addition to the sentence for any other offense. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

Jacob Moritz by [Signature]
Signature of Defendant

Tampa, FL

City and State

Directions to the United States Marshal

- (☒) The defendant is ORDERED released after processing.
- (☐) The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant must be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: 4/23/2018

[Signature]
Signature of Judicial Officer
U.S. Magistrate Judge
Jeremiah C. Lynch

UNITED STATES DISTRICT COURT

for the
District of Montana**FILED****APR 23 2018**Clerk, U.S. Courts
District Of Montana
Missoula Division

United States of America

v.

Jacob Moritz

Defendant

Case No. MJ-18-18-M-JCL

Charging District: Southern District of New York

Charging District's Case No. CR-89-742

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

Place: United States Courthouse
500 Peal Street
New York, NY 10007

Courtroom No.: Room 520

Date and Time: 5/7/2018 9:00 am

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: 04/23/2018


Judge's signature

Jeremiah C. Lynch, U.S. Magistrate Judge

Printed name and title

AO 98 (Rev. 12/11) Appearance Bond

FILED

UNITED STATES DISTRICT COURT

for the

District of Montana

APR 23 2018

Clerk, U.S. Courts
District Of Montana
Missoula Division

United States of America)

v.)

Jacob Moritz)

Case No. MJ-18-18-M-JCL

Defendant)

APPEARANCE BOND

Defendant's Agreement

I, Jacob Moritz (defendant), agree to follow every order of this court, or any court that considers this case, and I further agree that this bond may be forfeited if I fail:

- (X) to appear for court proceedings;
- (X) if convicted, to surrender to serve a sentence that the court may impose; or
- (X) to comply with all conditions set forth in the Order Setting Conditions of Release.

Type of Bond

- () (1) This is a personal recognizance bond.
- () (2) This is an unsecured bond of \$ _____.
- (X) (3) This is a secured bond of \$ 100,000.00, secured by:
 - () (a) \$ _____, in cash deposited with the court.

- (X) (b) the agreement of the defendant and each surety to forfeit the following cash or other property
(describe the cash or other property, including claims on it – such as a lien, mortgage, or loan – and attach proof of ownership and value):

If this bond is secured by real property, documents to protect the secured interest may be filed of record.

- () (c) a bail bond with a solvent surety (attach a copy of the bail bond, or describe it and identify the surety):

Forfeiture or Release of the Bond

Forfeiture of the Bond. This appearance bond may be forfeited if the defendant does not comply with the above agreement. The court may immediately order the amount of the bond surrendered to the United States, including the security for the bond, if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

AO 98 (Rev. 12/11) Appearance Bond

Release of the Bond. The court may order this appearance bond ended at any time. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

Declarations

Ownership of the Property. I, the defendant – and each surety – declare under penalty of perjury that:

- (1) all owners of the property securing this appearance bond are included on the bond;
- (2) the property is not subject to claims, except as described above; and
- (3) I will not sell the property, allow further claims to be made against it, or do anything to reduce its value while this appearance bond is in effect.

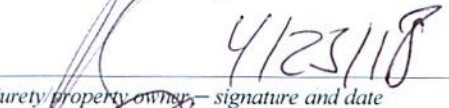
Acceptance. I, the defendant – and each surety – have read this appearance bond and have either read all the conditions of release set by the court or had them explained to me. I agree to this Appearance Bond.

I, the defendant – and each surety – declare under penalty of perjury that this information is true. (See 28 U.S.C. § 1746.)

Date: _____

Jacob Maritz by 
 Defendant's signature

Jonathan Brozyna 4/23/18
 Surety/property owner – printed name

 4/23/18
 Surety/property owner – signature and date

Dillon Brozyna  4/23/18
 Surety/property owner – printed name

 4/23/18
 Surety/property owner – signature and date

 Surety/property owner – printed name

 Surety/property owner – signature and date

CLERK OF COURT

Date: 4/23/18

Kelly Lepsey Deputy Clerk
 Signature of Clerk or Deputy Clerk

Approved.

Date: 4/23/18


 Judge's signature